

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION**

**ORDER NO. 01-033
SETTING MANDATORY PENALTY
SEWER AUTHORITY MID-COASTSIDE
HALF MOON BAY, SAN MATEO COUNTY**

The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter called the Regional Board), finds that:

1. On September 21, 1994, the Regional Board adopted Waste Discharge Requirements in Order No. 94-126 for the Sewer Authority Mid Coastside (SAM). On March 15, 2000, the Regional Board adopted Waste Discharge Requirements in Order No. 00-016, for SAM. Order No. 00-016 replaced and rescinded Order No. 94-126. Both Orders regulated discharges of waste from SAM's wastewater treatment plant, as specified in Finding 7 of Order No. 94-126 and Finding 9 of Order No. 00-016.

2. Order No. 94-126 includes the following effluent limitations:

Constituent	Units	Monthly Average	Weekly Average	Daily Maximum	Instantaneous Maximum
Total Chlorine Residual	mg/l	--	--	--	0.0

3. Order No. 00-016 includes the following effluent limitations:

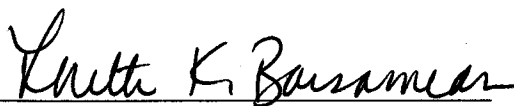
“The moving median value for the Most Probable Number (MPN) of total coliform bacteria in any five (5) consecutive samples shall not exceed 2,400 MPN/100 ml; and, any single sample shall not exceed 24,000 MPN/100 ml.”

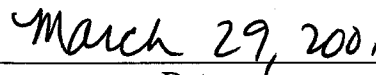
4. According to monitoring reports submitted by SAM, SAM exceeded the effluent limitation for chlorine residual three (3) times during the six-month period beginning January 1, 2000 and ending on June 30, 2000. On January 3, 4 and 16, 2000, the reported chlorine residuals were 4.62 mg/l, 2.49 mg/l and 1.16 mg/l, respectively.
5. According to monitoring reports submitted by SAM, SAM exceeded the effluent limitation for total coliform daily maximum one (1) time. On May 8, 2000, the reported total coliform daily maximum was 100,000 MPN/100 ml.
6. According to monitoring reports submitted by SAM, SAM exceeded the effluent limitation for total coliform 5 sample moving median six (6) times. On May 24, 25, 26, 29 and 30, 2000 and June 6, 2000, the reported total coliform 5 sample moving median was 2,800 MPN/100 ml, 16,000 MPN/100 ml, 16,000 MPN/100 ml, 5,400 MPN/100 ml, 5,400 MPN/100 ml and 5,400 MPN/100 ml, respectively.

7. Water Code Section 13385(i) requires the Regional Board to assess a mandatory minimum penalty of three thousand dollars (\$3,000) for each violation of a waste discharge requirement effluent limit in any six-month period, not counting the first three violations in that six-month period.
8. The Executive Officer issued Complaint No. 01-016 to SAM on February 16, 2001. The Complaint proposed a Mandatory Minimum Penalty of \$21,000. Since the Complaint was issued, SAM has not waived the public hearing or paid the penalty.
9. On March 7, 2001, SAM commented on the Complaint, and disagreed with its allegations. Regional Board staff responded to SAM's comments.
10. On March 21, 2001, the Regional Board conducted a public hearing to consider this matter. SAM appeared, testified, and provided further information before the Regional Board about its disagreement with the violations alleged in Complaint No. 01-016. After hearing and considering SAM's and Regional Board staff's positions, the Regional Board agreed with its staff position as described in Complaint No. 01-016, the Complaint's accompanying staff report, and as explained to them in the public hearing. The Regional Board agreed that Mandatory Minimum Penalties should be assessed for seven (7) chronic violations.
11. This Order confirms Complaint No. 01-016 and imposes a Mandatory Minimum Penalty of \$21,000, which is required under section 13385(h) and (i) of the Water Code.
12. This action is an order to enforce the laws and regulations administered by the Board. This action is categorically exempt from the provisions of CEQA pursuant to Section 15321(a)(2), Title 14 of the California Code of Regulations.

IT IS HEREBY ORDERED, PURSUANT TO CALIFORNIA WATER CODE SECTION 13385, that Sewer Authority Mid Coastside is civilly liable for the violations of its NPDES discharge limits and as cited in Complaint No. 01-016, and shall pay the Mandatory Minimum Penalty in the amount of \$21,000. The liability shall be paid to the State Water Pollution Cleanup and Abatement Account within 30 days of the date of this Order.

I, Loretta K. Barsamian, Executive Officer, do hereby certify that the foregoing is a full, complete, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on March 21, 2001.


Loretta K. Barsamian, Executive Officer


Date